



UNITED CASUALTY AND SURETY INSURANCE COMPANY
US Casualty and Surety Insurance Company
United Surety Insurance Company

233 Needham Street, Suite 440, Newton, Massachusetts 02464

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

AMY MOORE, MIA LYTELL, NATASHA
TAGAI, EMMA HOPPER, BRITTANY
HASSEN, and BRITTANY REYES

BOND NO. UCSX2X4121

Plaintiffs,

SUPERSEDEAS BOND

-against-

Howard Rubin, and Jennifer Powers,

Defendants.

17-cv-6404 (BMC)

-----X

WHEREAS, Howard Rubin, Defendant has filed a motion for judgment as a matter of law and motion for a new trial dated the 11th of May, 2022 and if such motions are denied, will file and prosecute an appeal to the United States Court of Appeals for the Second Circuit from the Judgment dated the 12th day of April, 2022 and filed on the 13th day of April 2022 awarding damages in favor of the Plaintiff, Amy Moore, and against Howard Rubin, in the total sum of **SEVEN HUNDRED FIFTY THOUSAND AND 00/100 (\$750,000.00) DOLLARS** and in favor of the Plaintiff, Mia Lytell, and against Howard Rubin, in the total sum of **SIX HUNDRED TWENTY THOUSAND AND 00/100 (\$620,000.00) DOLLARS** and in favor of the Plaintiff, Natasha Tagai, and against Howard Rubin, in the total sum of **SIX HUNDRED TWENTY THOUSAND AND 00/100 (\$620,000.00) DOLLARS** and in favor of the Plaintiff, Emma Hopper, and against Howard Rubin, in the total sum of **SIX HUNDRED TWENTY THOUSAND AND 00/100 (\$620,000.00) DOLLARS** and in favor of the Plaintiff, Brittany Hassen, and against Howard Rubin, in the total sum of **SIX HUNDRED TWENTY THOUSAND AND 00/100 (\$620,000.00) DOLLARS** and in favor of the Plaintiff, Brittany Reyes, and against Howard Rubin, in the total sum of **SIX HUNDRED TWENTY THOUSAND AND 00/100 (\$620,000.00) DOLLARS**.

NOW, THEREFORE, the **UNITED CASUALTY AND SURETY INSURANCE COMPANY**, duly authorized to transact business in the State of New York and having an office and principal place of business at 233 Needham Street, Ste. 440, Newton, MA, 02464 and **GENERAL REINSURANCE COMPANY** with a principal place of business at 120 Long Ridge Rd, Stamford, CT 06902 as Co-Sureties, and Howard Rubin, as Principal, do hereby undertake in the sum of **FOUR MILLION TWO HUNDRED SEVENTY THREE THOUSAND FIVE HUNDRED AND 00/100 (\$4,273,500.00) DOLLARS**, that if the above-named Appellant, Howard Rubin, shall satisfy the Judgment herein in full together with cost, interest, and damages for delay, if for any reason the appeal is dismissed or if the Judgment is affirmed, and shall satisfy in full such modification of the Judgment and such costs, interest, and damages as the Appellate Court may adjudge and award, then this obligation shall be void, otherwise the same shall be and remain in full force and virtue.

Provided however this bond is hereby fixed in the amount of **FOUR MILLION TWO HUNDRED SEVENTY THREE THOUSAND FIVE HUNDRED AND 00/100 (\$4,273,500.00) DOLLARS**.

DATED, Newton, MA, May 17th, 2022

UNITED CASUALTY AND SURETY INSURANCE COMPANY

By: _____

ROBERT F. THOMAS, PRESIDENT

GENERAL REINSURANCE COMPANY

By: _____

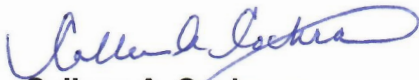
ROBERT F. THOMAS, ATTORNEY-IN-FACT

SURETY ACKNOWLEDGEMENT

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF MIDDLESEX

SS:

On this 17th day of May in the year 2022, before me personally came **ROBERT F THOMAS**, to me known, who being by me duly sworn, did depose and say that he resides in Wellesley, MA; that he is President of United Casualty and Surety Insurance Company and Attorney-in-Fact of **GENERAL REINSURANCE COMPANY**, the corporations described in and which executed the above instrument; that he knows the seal affixed to said instrument is such corporate seal; that it was affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order _____



Colleen A. Cochrane

Notary Public, Commonwealth of Massachusetts

Commission Expires October 27th, 2028

NOTARY PUBLIC



UNITED CASUALTY AND SURETY INSURANCE COMPANY
 US Casualty and Surety Insurance Company
 United Surety Insurance Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That United Casualty and Surety Insurance Company, a corporation of the State of Nebraska, and US Casualty and Surety Insurance Company and United Surety Insurance Company, assumed names of United Casualty and Surety Insurance Company (collectively, the Companies), do by these presents make, constitute and appoint:

Robert F. Thomas, Justin D. Casey, Colleen A. Cochrane, Deborah A. Holleran, Stephen M. Welsh, Casey R. Parker.

its true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety. This Power of Attorney shall expire without further action on December 31st, 2023.

This Power of Attorney is granted under and by authority of the following resolutions adopted by the Board of Directors of the Companies at a meeting duly called and held on the 1st day of July, 1993:

Resolved that the President, Treasurer, or Secretary be and they are hereby authorized and empowered to appoint Attorneys-in-Fact of the Company, in its name and as its acts to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected Officers of the Company in their own proper persons.

That the signature of any officer authorized by Resolutions of this Board and the Company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereunto affixed, this 19th day of August, 2021.



UNITED CASUALTY AND SURETY INSURANCE COMPANY
 US Casualty and Surety Insurance Company
 United Surety Insurance Company

Joel R. Chachkes, Treasurer

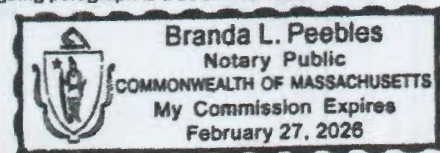
Corporate Seals

Commonwealth of Massachusetts
 County of Middlesex ss:

On this 19th day of August, 2021, before me, Branda L. Peebles, a notary public, personally appeared, Joel R. Chachkes, Treasurer of United Casualty and Surety Insurance Company, US Casualty and Surety Insurance Company and United Surety Insurance Company, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the Commonwealth of Massachusetts that the foregoing paragraph is true and correct.
 WITNESS my hand and seal.

(Seal)
 Branda L. Peebles, Notary Public Commission Expires: 02/27/2026



I, Robert F. Thomas, President of United Casualty and Surety Insurance Company, US Casualty and Surety Insurance Company and United Surety Insurance Company do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Newton, Massachusetts this
 17th day of May, 2022

Corporate Seals



Robert F. Thomas, President

DUPLICATE ORIGINAL

Power # UC&S 2190MA-74246-033

POWER OF ATTORNEY
GENERAL REINSURANCE CORPORATION
 120 LONG RIDGE ROAD, STAMFORD, CONNECTICUT 06902

Know All Men By These Presents: That the GENERAL REINSURANCE CORPORATION, a corporation organized and existing under the laws of the State of Delaware, with Executive Offices at 120 Long Ridge Road, Stamford, Connecticut 06902, does hereby nominate, constitute and appoint Robert F. Thomas, Zachary R. Bradley, Colleen A. Cochran, and Justin D. Casey its true and lawful Attorney(s)-in-fact with full power and authority to make, execute and deliver, for and on its behalf as surety, and as its act and deed, for:

Bond Number: UCSX 2K4121
 Bond Description: Supersedeas Bond
 Bond Amount: \$4,273,500.00
 Principal: Howard Rubin
 Obligor: United States District Court, Eastern District of New York
 Description: 17-cv-6404 (BMC)

including consents in connection therewith - which are written on a co-surety basis and duly executed by United Casualty & Surety Insurance Company, 233 Needham St., Suite 440, Newton, MA 02464 as a co-surety; provided the co-surety share of General Reinsurance Corporation on any single bond shall not exceed \$5,000,000 and the execution of such bond(s), undertaking(s), or writing(s) obligatory, in pursuance of these presents, shall be as binding upon said Corporation, to all intents and purposes, as if duly executed by the President or Vice President of the Corporation, sealed with its corporate seal, and attested by its Secretary, Assistant Secretary or Vice President; and said Corporation hereby ratifies and confirms the acts of said Attorney(s)-in-fact done pursuant to the power and authority herein given.

This Power of Attorney is made and executed by authority of the By-laws of said Corporation of which the following excerpt is a true and exact copy.

"ARTICLE VI, SECTION 6.01 Execution of Instruments Generally. The Chairman of the Board, the President, any Vice President, the Secretary or the Treasurer may enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation. The Board of Directors may authorize any officer or officers, or agent or agents, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation, and such authorization may be general or confined to specific instances."

All power and authority hereby conferred shall hereby expire and terminate without notice at midnight of the 31st day of March, 2023 as respects executions subsequent thereto.

In Witness Whereof: The GENERAL REINSURANCE CORPORATION has caused these presents to be signed by its Vice President and its corporate seal to be affixed this 5th day of January, 2022.

Attest:

José A. González
 José A. González
 Second Vice President

STATE OF CONNECTICUT)
 COUNTY OF FAIRFIELD) ss.:

The foregoing instrument was acknowledged before me this 5th

day of January, 2022, by John Campbell and José A. González
 of the General Reinsurance Corporation, a Delaware Corporation, on behalf of the Corporation.

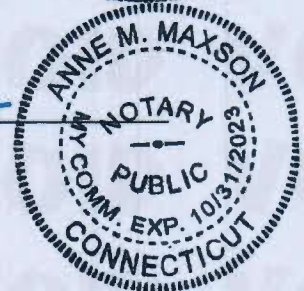
GENERAL REINSURANCE CORPORATION

By

John Campbell
 Vice President



Anne M. Maxson
 Notary Public



United Casualty and Surety Insurance Company
Newton, Massachusetts
Statement of Assets, Liabilities, and Surplus
Year Ended December 31

	<u>Year Ended</u>	
	<u>2021</u>	<u>2020</u>
<u>Admitted Assets</u>		
Cash and Short Term Investments	\$ 20,377,739	\$ 24,989,901
Stocks	17,168,177	11,373,310
Bonds	956,164	2,844,907
Uncollected Premiums & Agents' Balances	1,203,732	1,028,456
Other Assets	<u>257,589</u>	<u>388,984</u>
Total Net Admitted Assets	\$ 39,963,401	\$ 40,625,558
<u>Liabilities</u>		
Funds Held as Collateral	\$ 9,185,872	\$ 10,006,075
Unearned Premium	4,579,947	3,657,963
Losses	1,070,642	2,383,868
Other Expenses	318,732	287,722
Taxes, Licenses, and Fees	121,675	117,377
Loss Adjustment Expenses	310,884	108,466
Payable to Parent or Affiliates	370,027	82,147
Ceded Reinsurance Payable	103,004	84,651
Other Liabilities	<u>47,507</u>	<u>0</u>
Total Liabilities	\$ 16,108,290	\$ 16,728,269
<u>Capital and Surplus</u>		
Paid In Surplus	\$ 16,615,161	\$ 17,040,161
Unassigned Surplus	4,744,205	4,361,383
Common Stock	2,600,000	2,600,000
Less Treasury Stock	<u>104,255</u>	<u>104,255</u>
Total Capital and Surplus	\$ 23,855,111	\$ 23,897,289

I, Joel Chachkes, Chief Financial Officer and Treasurer of United Casualty and Surety Insurance Company, hereby certify that the above is an exact copy of the financial statement of the Company dated December 31, 2021, and is a true and correct statement of the condition of United Casualty and Surety Insurance Company as of that date.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the Company this 25th day of March 2022.

By Joel Chachkes
 Joel Chachkes, Chief Financial Officer and Treasurer

